



Paper No. 72

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OFFICE OF PETITIONS

In re Patent No. 5,807,715
Issued: September 15, 1998
Application No. 08/266,154
Filed: June 27, 1994
Attorney Docket No. BD1CIPFWCIII

ON PETITION

This is a decision on the petition under 37 CFR 1.183 filed November 14, 2003, to waive the rules and accept the correction of the assignee on the front page of the above-identified patent. This is also a decision on the reconsideration petition under 37 CFR 1.182, filed November 14, 2003, to reprint the assignees' names on the front page of the Letters Patent.

The petition under 37 CFR 1.183 to correct the assignee information is **GRANTED**.

The petition under 37 CFR 1.182 to reprint the front page of the Letters Patent is **GRANTED**.

Petitioner is advised that it is the practice of the U. S. Patent and Trademark Office (USPTO) to issue a certificate of correction to correct an error on the part of an application in those cases where the assignee or attorney data is incorrect or was inadvertently not provided at the time of payment of the issue fee or the inventor's name is misspelled or otherwise incorrect. Note 37 CFR 1.323 and MPEP 1482 (35 U.S.C. 255), which states:

"Whenever a mistake of a clerical or typographical nature, or of minor character, which was not the fault of the Patent and Trademark Office, appears in a patent and a showing has been made that such mistake occurred in good faith, the Commissioner may, upon payment of the required fee, issue a certificate of correction, if the correction does not involve such changes in the patent as would constitute new matter or would require re-examination. Such patent, together with the certificate, shall have the same effect and operation in law on the trial of actions for causes thereafter arising as if the same had been originally issued in such correct form."

In view of the above, and since the desired correction of the assignee information can be effected by way of a certificate of correction, it is unnecessary to reprint the front page of the Letters Patent.

However the USPTO will reprint the front page of the Letters Patent if the following conditions are met:

1. Submission of a petition under 37 CFR 1.182
2. Payment of a \$130 petition fee
3. Payment of a \$100 fee to place a certificate of correction in the USPTO archives
4. Return of the original Letters Patent

Since petitioner has met all four conditions noted above, the front page of the Letters Patent will be reprinted to include both assignees' information.

The file is being forwarded to the Certificate of Correction Branch for appropriate processing of a certificate of correction to be placed in the archives of the USPTO. Afterwards, the file will be forwarded to the Publishing Division for reprinting of the front page of the original Letters Patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6712. Telephone inquiries regarding the reprinting of the front page of the Letters Patent should be directed to the Publishing Division at (703) 308-7385.



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